



PROGRAM NEWS

United States Agency for International Development

Volume II No. 5

March 2002

**USAID/Nicaragua
Development Program
1998-2003
(U.S. Millions of Dollars)**

<i>Rule of Law and Good Governance</i>	<i>43.6</i>
<i>Small Producers</i>	<i>47.0</i>
<i>Natural Resources</i>	<i>14.0</i>
<i>Healthy Families</i>	<i>35.0</i>
<i>Primary Education</i>	<i>17.5</i>
<i>Food Aid</i>	<i>55.0</i>
TOTAL	US\$ 212.1



New Public Ministry Helps Modernize Nicaragua's Justice System

Managua—A low chain-link fence now divides the blue and white Attorney General's office from the saffron yellow buildings of the newly created Public Ministry. But it is more than just a different coat of paint that distinguishes the two entities.

The Public Ministry, formerly part of the Attorney General's office, will now function as an independent institution responsible for promoting fair and transparent criminal proceedings. Under Nicaragua's current justice system, the judge presses charges, conducts the investigation into the crime and passes judgment. With the creation of the Public Ministry trials will be balanced between the prosecutor and the defense, with the judge serving as an impartial arbiter and the administrator of justice under the recently passed Criminal



The Public Ministry began functioning as an independent institution in January 2002. The new ministry, responsible for promoting fair and transparent criminal proceedings, represents a great advance in the modernization of Nicaragua's justice system.

Procedure Code. It will be the job of the Public Ministry prosecutors, in coordination with the National Police, to conduct investigations and bring charges. While the Public Ministry will guarantee that criminals will be brought to trial, the new institution has the responsibility to insure that the investigation and charges are impartial and objective. Unlike the old system, the defendant is presumed innocent and it will be the prosecutor's job to prove guilt.

"The Public Ministry is a new concept for the Nicaraguan justice system," said Delia Rosales, member of the executive commission of the Public Ministry. "For the first time in Nicaragua there is an independent



Public Ministry prosecutors received training for their new role in conducting criminal investigations and bringing charges under a \$2 million project funded by USAID.

(Continued on page 2)

Modernizing Nicaragua's Justice System...

(Continued from page 1)

institution that will guarantee citizens' rights, unfettered by shifting political interests."

As part of its Rule of Law and Good Governance program, USAID is working closely with Public Ministry officials and staff, prosecutors, and the National Police to establish the new ministry and reform the justice system.

With a budget of \$2 million, USAID, through its contractor Checci & Company, provides training, workshops, consultants and materials to strengthen the new ministry and prepare the staff for their new leadership role in guaranteeing a fair and transparent justice system.

In her modest office in the northern town of Jinotega, Ana Isabel Sequeira, the sole prosecutor for the 9,755-square kilometer department of Jinotega, consults law books and manuals she received through the USAID project to help with her new responsibilities in leading criminal investigations, gathering evidence and preparing charges. Sequeira has also attended numerous workshops conducted by the project. According to Sequeira, the most valuable assistance she received was from a consultant, paid by USAID, who worked by her side in the Jinotega office for a month.

"At first, I was a little nervous having someone observing and evaluating my work," said Sequeira, "but the help and advice I received was invaluable to me not only as a professional but as a person."



Jinotega prosecutor, Ana Isabel Sequeira, said the training and help she received from the USAID-funded program enhanced her professionalism and skills as a prosecutor.

While the new Criminal Procedures Code, separating the activities of the prosecutor, defense and the judge is not mandatory until December 24, 2002, prosecutors in the Public Ministry are already working independently investigating and preparing cases to

bring to trial.

Managua prosecutor Carolina Vasquez is leading a police investigation into an allegation of fraud against a government functionary—her first case under the new Public Ministry.

"The prosecutor has a very special responsibility in regard to the investigation. The prosecutor must be very clear on the rights of the individual and make sure those rights are respected," said Vasquez.

Although this new role means more work for the country's 62 prosecutors, who are already working with limited resources, prosecutors agree that the USAID program has helped prepare them for the task.

Said prosecutor Sequeira: "We've received excellent training. The project has been our oasis, relieving our doubts and providing us support to do our job the best we can."



The USAID-funded judicial reform project includes training prosecutors and police in conducting thorough criminal investigations.

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Delia Rosales, member of the executive commission of the Public Ministry.



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